

Mail Stop Interference P.O. Box 1450 Alexandria Va 22313-1450

Tel: 571-272-4683 Fax: 571-273-0042 Filed 19 August 2010

## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

HIROSHI **TAYANAKA**Junior Party
(Patent 6,107,213),

٧.

KIYOFUMI **SAKAGUCHI**, TAKAO YONEHARA and NOBUHIKO SATO
Senior Party
(Application 10/085,046).

Patent Interference No. 105,767 (JL) (Technology Center 2800)

DECLARATION - BD.R. 203(b)1

<sup>&</sup>lt;sup>1</sup> "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

ı	Fait A. Decidiation of interference
2	An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3	parties. Details of the application(s), patent (if any), reissue application (if any), count(s)
4	and claims designated as corresponding or as not corresponding to the count(s) appear
5	in Parts E and F of this DECLARATION.
6	Part B. Judge managing the interference
7	Administrative Patent Judge Jameson Lee has been designated to manage the
8	interference. Bd. R. 104(a).
9.	Part C. Standing order
10	A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11	DECLARATION. The STANDING ORDER applies to this interference.
12	Part D. Initial conference call
13	A telephone conference call to discuss the interference is set for 1:00 p.m. (EST)
14	on 30 September 2010 (the Board will initiate the call).
15	No later than four business days prior to the conference call, each party shall
16.	file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
17	SO ¶¶ 104.2.1, 120 & 204) the party intends to file.
18	A sample schedule for taking action during the motion phase appears as Form 2
19	in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to
20	the conference call and to agree on dates for taking action. A typical motion period
21	lasts approximately eight (8) months. Counsel should be prepared to justify any reques
22	for a shorter or longer period.

1	Part E. Identification ar	nd order of the parties
2		Junior Party
3	Named inventor:	HIROSHI TAYANAKA, Kanagawa, Japan
4 5	Involved Patent:	6,107,213 granted 22 August 2000 based on
6		Application 08/818,239 filed 14 March 1997
7	Title:	Method for making thin film semiconductor
8	Assignee:	SONY Corporation
9		
10		Senior Party
11 12 13	Named Inventors:	KIYOFUMI SAKAGUCHI, Isehara-shi, Japan TAKAO YONEHARA, Atsugi-shi, Japan NOBUHIKO SATO, Yokohama-shi, Japan
14 15	Involved Application:	10/085,046 filed 1 March 2002
16	Title:	Process for production of semiconductor substrate
17 18	Assignee:	Canon Kabushiki Kaisha
19		
20	The senior party is assigned exhibit numbers 1001-1999. The junior party is	
21	assigned exhibit numbers 2001	-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party
22	is responsible for initiating settle	ement discussions. SO ¶ 126.1.
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1	Part F. Count and clai	ms of the parties
2		Count 1
3	Claim 77 o	of Sakaguchi's Application 10/085,046
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5	The claims of the partie	s are:
6	Tayanaka:	Claims 1-20
7	Sakaguchi:	Claims 77, 107, 135, 136, 138, 139, 142, and 157
8	The claims of the partie	s which correspond to Count 1 are:
9	Tayanaka:	Claims 1-6, 9-11, and 13-19
10	Sakaguchi:	Claims 77, 107, 135, 136, 138, 139, 142, and 157
11	The claims of the partie	s which do not correspond to Count 1, and therefore are
12	not involved in the interference	
13	Tayanaka:	Claims 7, 8, 12, and 20
. 14	Sakaguchi:	None
15		
16	The parties are accorde	ed the following benefit:
17 18 19	Tayanaka:	JP P08-234480 filed 4 September 1996 JP P08-061552 filed 18 March 1996
20 21 22 23	Sakaguchi:	09/161,775 filed 29 September 1998 08/863,717 filed 27 May 1997 08/401,237 filed 9 March 1995
24 25 26		Patent 6,246,068 granted 12 June 2001 based on Application 09/212,432 filed 16 December 1998
27 28 29		Patent 5,854,123 granted 29 December 1998 based on Application 08/729,722 filed 7 October 1996
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1 2 3	Patent 6,294,478 granted 25 September 2001 based on Application 08/807,604 filed 27 February 1997
4	09/933,711 filed 22 August 2001
5	09/840,895 filed 25 April 2001 JP 6-039389 filed 10 March 1994
5 6 7	JP 6-039389 filed 10 March 1994  JP 7-045441 filed 6 March 1995
8	JP 7-260100 filed 6 October 1995
9	JP 8-041709 filed 28 February 1996
10	JP 8-264386 filed 4 October 1996
11	
12	Part G. Heading to be used on papers
13	The following heading must be used on all papers filed in this interference, see
14 15	SO ¶ 106.1.1:
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18	UNITED STATES PATENT AND TRADEMARK OFFICE
19 20	
21	BEFORE THE BOARD OF PATENT APPEALS
22	AND INTERFERENCES
23	
24 25	HIROSHI <b>TAYANAKA</b>
26 26	Junior Party
27	(Patent 6,107,213),
28	
29	V.
30 31	KIYOFUMI <b>SAKAGUCHI</b> , TAKAO YONEHARA
32	and NOBUHIKO SATO
33	Senior Party
34	(Application 10/085,046).
<u>35</u>	
37 38	Patent Interference No. 105,767 (JL)
39	(Technology Center 2800)
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1	Part H. Order form for requesting file copies
2	When requesting copies of files, use of SO Form 4 will greatly expedite
3	processing of the request. Please attach a copy of Parts E and F of this
4	DECLARATION with a hand-drawn circle around the patents and applications for which
5	a copy of a file wrapper is requested.
6 7 8 9 10 11 2 13 14 15 6 17 8 9 10 11 2 13 14 15 6 17 8 9 20 20 20 20 30 30 30 30 30 30 30 30 30 30 30 30 30	/JAMESON LEE/ Administrative Patent Judge  Enc: Copy of STANDING ORDER  Revised 3 January 2006
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1	cc (via overnight delivery):
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